

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING

To:
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PCT



NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)
Rec'd PCT/PTO 23 DEC 2004

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(day/month/year) 30 OCTOBER 2004 (30.10.2004)

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Applicant's or agent's file reference
3FPO-04-17

IMPORTANT NOTIFICATION

International application No.
PCT/KR2003/001041

International filing date (day/month/year)
28 MAY 2003 (28.05.2003)

Priority date (day/months/year)
27 JUNE 2002 (27.06.2002)

Applicant

KOREA RESEARCH INSTITUTE OF BIOSCIENCE AND BIOTECHNOLOGY et al

1. The applicant is hereby notified that International Preliminary Examining Authority transmits here with the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

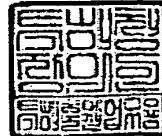
The applicant must enter the national phase before each elected office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details in the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/KR
Korean Intellectual Property Office
920 Dunsan-dong, Seo-gu, Daejeon 302-701,
Republic of Korea
Facsimile No. 82-42-472-7140

Authorized officer
COMMISSIONER
Telephone No. 82-42-481-5207



PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 3FPO-04-17	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/KR2003/001041	International filing date (day/month/year) 28 MAY 2003 (28.05.2003)	Priority date (day/month/year) 27 JUNE 2002 (27.06.2002)
International Patent Classification (IPC) or national classification and IPC IPC7 C12Q 1/02		
Applicant KOREA RESEARCH INSTITUTE OF BIOSCIENCE AND BIOTECHNOLOGY et al		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of _____ sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input checked="" type="checkbox"/> Certain observations on the international application

Date of submission of the demand 13 JANUARY 2004 (13.01.2004)	Date of completion of this report 26 OCTOBER 2004 (26.10.2004)
Name and mailing address of the IPEA/KR Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea	Authorized officer BAIK, Kyong UP
Facsimile No. 82-42-472-7140	Telephone No. 82-42-481-5596



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2003/001041

I. Basis of the report

1. With regard to the elements of the international application:*

the international application as originally filed

the description:

pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

the claims:

pages _____, as originally filed
 pages _____, as amended (together with any statement) under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

the drawings:

pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

the sequence listing part of the description:

pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language English which is

the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

the language of publication of the international application (under Rule 48.3(b)).

the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form

The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

the description, pages _____

the claims, Nos. _____

the drawings, sheet _____

5.

This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed." and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION

International application No.

PCT/KR2003/001041

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-7	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-7	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims	NONE	NO

2. Citations and explanations (Rule 70.7)

Claims 1–7 of the present invention relate to a method for high throughput of plant growth regulators comprising the steps of culturing photomixotrophic cells to which candidates for plant growth regulators are added; and measuring cell growth on a large cells at the same time.

1. Novelty

The present invention according to claims 1–7 relating to a method for high throughput of plant growth regulators comprising the steps of culturing photomixotrophic cells to which candidates for plant growth regulators are added; and measuring cell growth on a large cells at the same time, is considered to be novel compared with the prior art which is cited in the international search report(PCT Article 33(2)).

2. Inventive Step

The present invention according to claims 1–7 relating to a method for high throughput of plant growth regulators comprising the steps of culturing photomixotrophic cells to which candidates for plant growth regulators are added; and measuring cell growth on a large cells at the same time, is not easy for a person skilled in the art to arrive at from the prior art which is cited in the international search report. Therefore, it is considered to involve an inventive step((PCT Article 33(3))).

3. Industrial Applicability

Claims 1–7 of the present invention are considered to be industrially applicable(PCT Article 33(4)).

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

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VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The expression in the claims 1-7 "photomixotrophic cell" is not clear regarding the items wherein the invention is protected using an extensive expression which is not specified concisely and is not supported by a description(PCT Article 6).